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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,264	01/30/2004	Mark J. Beitz	KCC 4908.4 (K-C 16,733.2)	5948
321 75	590 10/04/2005	EXAMINER		
	OWERS LEAVITT	TORRES VELAZQ	TORRES VELAZQUEZ, NORCA LIZ	
16TH FLOOR	ONE METROPOLITAN SQUARE 16TH FLOOR		ART UNIT	PAPER NUMBER
ST LOUIS, MO	O 63102		1771	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)			
Office Action Summary		10/768,264	BEITZ ET AL.			
		Examiner	Art Unit			
		Norca L. Torres-Velazquez	1771			
Period f	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the c	orrespondence address:	;		
WHI - Extended aftended - If No - Fail Any	HORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DOMERS OF THE MAILING DOMERS OF THE MAILING DOMESTIC OF THE MAILING DOMESTIC OF THE MAILING DOMESTIC OF THE MAILING DOMESTIC OF THE MAILING THE MAILING THE MAILING OF THE MAIL	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	N. nely filed the mailing date of this commun D (35 U.S.C.§ 133).			
Status						
1)[🛛	Responsive to communication(s) filed on 30 Ja	anuary 2004.				
2a)□	☐ This action is FINAL . 2b) ☐ This action is non-final.					
3)	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
	closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.			
Disposi	tion of Claims					
4)⊠	Claim(s) 1-17 is/are pending in the application					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5)[Claim(s) is/are allowed.					
•	Claim(s) <u>1-17</u> is/are rejected.	•				
•	Claim(s) is/are objected to.	a ala ation annuisomant				
8)[_]	Claim(s) are subject to restriction and/o	r election requirement.				
Applica	tion Papers					
9)[The specification is objected to by the Examine	er.				
10)[The drawing(s) filed on is/are: a)☐ acc	epted or b) \square objected to by the	Examiner.			
	Applicant may not request that any objection to the					
	Replacement drawing sheet(s) including the correct					
11)	The oath or declaration is objected to by the Ex	taminer. Note the attached Office	Action or form P1O-1:	52.		
Priority	under 35 U.S.C. § 119					
12)	Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)-(d) or (f).			
а)□ All b)□ Some * c)□ None of:					
	1. Certified copies of the priority document					
	2. Certified copies of the priority document		•			
	3. Copies of the certified copies of the prio	·	ed in this National Stag	е		
*	application from the International Bureau See the attached detailed Office action for a list	• • • • • • • • • • • • • • • • • • • •	ed			
	Oce the attached actained office action for a not	or the defailed depice that receive	70 .			
Attachme 1) Not	nt(s) ice of References Cited (PTO-892)	4) Interview Summary	/(PTO-413)			
2) Not	ice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail D	ate			
	rmation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) er No(s)/Mail Date <u>22205 81905</u> .	5) Notice of Informal F 6) Other:	Patent Application (PTO-152)	i		
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U.S. Patent and Trademark Office PTOL-326 (Rev. 7-05) Application/Control Number: 10/768,264

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DETAILED ACTION

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
- 2. Claims 6-7, 11-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 6, 11-16 recites the limitation "trailing end", "leading end" and "said ends". There is insufficient antecedent basis for these limitations in the claims. Claims 7 and 17 are rejected as being dependent on these claims.

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'CONNOR (WO 99/59907) in view of LAM et al. (WO 02/102665 A1).

O'CONNOR discloses a strip used for an absorbent product that is made continuous by splices with are stitched across butting ends (19, 20) of the strip. In this way the spliced portions (A) of the strip can be used in the products without compromising the absorbency at the splices. (Abstract, Figures 1, 2 and 3, and also refer to page 11, fourth paragraph) The reference teaches that the strip is a nonwoven material or an air laid cellulosic material. (Page 4, first paragraph) The reference teaches assembling the strip into a product for use in moisture absorption such as

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for feminine hygiene products or diapers in which it is covered by at least one layer, preferably including one or more top and bottom layers so that the strip is not visible by the end user. (Page 16, second paragraph). The Examiner equates such layer to the claimed body side liner. The reference discloses the invention substantially as claimed.

However, it does not disclose the claimed splice structure in the article.

LAM et al. discloses the use of the instantly claimed splice structure in absorbent articles and the fact that splices may occur in finished articles, the reference also discloses that the splice structure provides with fluid movement into and longitudinally along the material from one strip portion to the next during end use of the strip in a finished absorbent product; see page 16, line 9 through page 17, line 26.

It would have been obvious to one of ordinary skill in the art to use the splice structure of the LAM et al. in the article of the O'CONNOR to provide an acceptable splice in a finished product that in this case will be an alternative splice structure that does not require stitching.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norca L. Torres-Velazquez whose telephone number is 571-272-1484. The examiner can normally be reached on Monday-Thursday 8:00-5:00 pm and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Norca L. Torres-Velazquez Primary Examiner Art Unit 1771

September 27, 2005